

# STATE OF NEW YORK

8169

2023-2024 Regular Sessions

## IN ASSEMBLY

October 18, 2023

Introduced by M. of A. PIROZZOLO -- read once and referred to the  
Committee on Transportation

AN ACT to amend the vehicle and traffic law and the public authorities  
law, in relation to establishing the "Electric Vehicle Infrastructure  
and Liability Act"

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "Electric  
2 Vehicle Infrastructure and Liability Act".

3 § 2. The vehicle and traffic law is amended by adding a new section  
4 114-f to read as follows:

5 § 114-f. Electric vehicle. Every motor vehicle that is powered by  
6 electricity, contains a battery which is charged by plug or wire, and is  
7 designed primarily for the transportation of passengers or for commer-  
8 cial use on public roadways.

9 § 3. Subdivision 6 of section 401 of the vehicle and traffic law is  
10 amended by adding a new paragraph h to read as follows:

11 h. (i) In addition to other fees provided for in this section, the  
12 commissioner shall require a registration fee of two hundred dollars for  
13 each non-commercial electric vehicle registered in the state. Ten  
14 percent of the revenues generated from such fee shall be allocated to  
15 the office of fire prevention and control to promulgate rules and regu-  
16 lations for training programs designed to instruct first responders on  
17 issues associated with electric vehicle fires, the acquisition of equip-  
18 ment designed to withstand electric vehicle related incidents and estab-  
19 lishing public awareness campaigns on the dangers and necessary precau-  
20 tions when using electric vehicles. Ninety percent of the revenues  
21 generated from such fee shall be allocated to the dedicated highway  
22 bridge and trust fund.

23 (ii) In addition to other fees provided for in this section, the  
24 commissioner shall require a registration fee of four hundred dollars

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 for each commercial electric vehicle registered in the state. Ten  
2 percent of the revenues generated from such fee shall be allocated to  
3 the office of fire prevention and control to promulgate rules and regu-  
4 lations for training programs designed to instruct first responders on  
5 issues associated with electric vehicle fires, the acquisition of equip-  
6 ment designed to withstand electric vehicle related incidents and estab-  
7 lishing public awareness campaigns on the dangers and necessary precau-  
8 tions when using electric vehicles. Ninety percent of the revenues  
9 generated from such fee shall be allocated to the dedicated highway  
10 bridge and trust fund.

11 § 4. Section 354 of the public authorities law is amended by adding a  
12 new subdivision 16 to read as follows:

13 16. To direct all necessary state and public authorities, including  
14 but not limited to, the thruway authority, metropolitan transportation  
15 authority, tunnel and bridge authority and the port authority of New  
16 York and New Jersey that operate tolling roads and bridges within the  
17 state to establish an additional electric passenger vehicle user fee.  
18 The non-commercial electric vehicle user fee shall be calculated as six  
19 percent of the total tolling surcharge owed by the non-commercial elec-  
20 tric vehicle operator. Such non-commercial electric vehicle user fee  
21 shall be in addition to any other tolling surcharge issued by the toll-  
22 ing authority. All authorities that operate tolling roads and bridges  
23 within the state shall coordinate with E-ZPass and the department of  
24 motor vehicles to share all necessary information to effectuate the  
25 provision of this section. All revenues generated from the non-commer-  
26 cial electric vehicle tolling road user fee shall be allocated to the  
27 dedicated highway bridge and trust fund established under section eight-  
28 y-nine-b of the state finance law. For the purposes of this subdivi-  
29 sion, the term "electric vehicle" shall have the same meaning as defined  
30 in section one hundred fourteen-f of the vehicle and traffic law.

31 § 5. The office of fire prevention and control shall be permitted to  
32 establish an account for the purposes of this act.

33 § 6. The commissioner of transportation shall submit on or before  
34 January 1, 2025, and annually thereafter, an annual report to the gover-  
35 nor, the speaker of the assembly, the temporary president of the senate,  
36 the minority leader of the assembly and the minority leader of the  
37 senate on the total amount of funds collected and the initiatives under-  
38 taken pursuant to this act.

39 § 7. This act shall take effect on the one hundred twentieth day after  
40 it shall have become a law. Effective immediately, the addition, amend-  
41 ment and/or repeal of any rule or regulation necessary for the implemen-  
42 tation of this act on its effective date are authorized to be made and  
43 completed on or before such effective date.